

# **2009 DRAFTING REQUEST**

## **Bill**

Received: **05/20/2009**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Jeff Smith (608) 266-0660**

By/Representing: **Andrea Wahl**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Smith@legis.wisconsin.gov**

Carbon copy (CC:) to:

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## **Pre Topic:**

No specific pre topic given

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## **Topic:**

Hunting by felons and weapons used for hunting

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## **Instructions:**

See attached

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## **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	rkite 06/18/2009	kfollett 06/30/2009	rschluet 07/01/2009	_____	mbarman 07/01/2009		State
/1	rkite 11/25/2009	kfollett 12/02/2009	mduchek 12/03/2009	_____	lparisi 12/03/2009		State
/2	rkite 12/14/2009	kfollett 12/17/2009	phenry 12/18/2009	_____	mbarman 12/18/2009	mbarman 02/09/2010	

FE Sent For:

↳ At Intro.

<END>

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/P1	rkite 06/18/2009	kfollett 06/30/2009	rschluet 07/01/2009	<i>K</i> 12/3 <i>g</i> 12/3	mbarman 07/01/2009		
FE Sent For:		<i>11kf</i> <i>12/2</i>	<i>MP</i> <i>12/3</i>	<i>1kf</i> <i>12/3</i>			

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/?	rkite	1P1kf 6/30		 12/3			
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FE Sent For:

MD 12/3

<END>

**Kite, Robin**

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**From:** Wahl, Andrea  
**Sent:** Wednesday, May 20, 2009 9:23 AM  
**To:** Kite, Robin  
**Subject:** FW: Prohibiting felons from hunting with guns  
**Attachments:** Hunting Licenses Felons.RTF

Robin,

Attached is the language we received from Randy Stark and Tom Van Haren at DNR regarding Rep. Smith's bill to prohibit felons from purchasing a hunting license. I've forwarded this along to Corrections in order to get their input, but thought we could start drafting. Please let me know if you have any questions.

Thank you!

**Andrea Wahl**  
Office of Representative Jeff Smith  
93rd Assembly District  
608-266-0660

---

**From:** Van Haren, Thomas - DNR [mailto:Thomas.VanHaren@Wisconsin.gov]  
**Sent:** Wednesday, May 06, 2009 11:26 AM  
**To:** Wahl, Andrea; Stark, Randall J - DNR  
**Subject:** RE: Prohibiting felons from hunting with guns

Andrea,

Attached is an electronic copy of what we were working from yesterday.

Randy will probably have a name for you from someone in Corrections to contact. I do not have a name.

---

a [mailto:Andrea.Wahl@legis.wisconsin.gov]  
ay 06, 2009 11:04 AM  
J - DNR; Van Haren, Thomas - DNR  
ting felons from hunting with guns

Randy and Tom,

Thank you again for taking the time to put together language we can use in drafting this legislation and also for meeting with me and Rep. Smith yesterday. The work and suggestions you offered are exactly what we need to move forward.

Would it be possible to get an electronic version of the language we reviewed so I can forward that along to the drafter? I'll also be checking in with Corrections to discuss any perspective they can offer, and was wondering if you might know of someone in particular that would be good to talk to.

Thanks again!

**Andrea Wahl**  
Office of Representative Jeff Smith  
93rd Assembly District  
608-266-0660

05/20/2009



## **Prohibiting Felons from obtaining hunting licenses that authorize hunting with Firearms**

Section 1 creates a definition of airgun in chapter 29.

Section 2 creates the prohibition on obtaining any approval that authorizes hunting with a firearm.

Section 3 clarifies that a resident small game hunting license does in fact authorize hunting with a firearm, as well as an airgun or archery equipment.

Section 4 creates an archery only turkey hunting license that would be available to any person, including those individuals who can not possess a firearm or purchase a license that allows the use of a firearm as restricted by Section 1.

Section 5 clarifies that a current Class A bear license allows use of firearms, bows, and crossbows.

Section 6 creates an archery only turkey hunting license for those individuals who can not possess a firearm or purchase a license that allow use of a firearm as created by this proposal.

Sections 7 to 9 clarify that a nonresident small game hunting licenses and fur-bearing animals license do in fact authorize hunting with a firearm, as well as an airgun or archery equipment.

Section 9 creates a new Non-firearm small game hunting license that only allows the use of an airgun or archery equipment and would be available to both residents and nonresidents, including those individuals who can not possess a firearm or purchase a license that allows the use of a firearm as restricted by Section 1.

Sections 11 to 16 establish the fee for the new approvals created under this proposal that are equivalent to the other current licenses for those species.

Section 17 clarifies that the wild animal damage surcharges also apply to the newly created hunting licenses.

Section 18 establishes new penalty section for violation of Section 1 of this proposal.

Section 19 establishes a 3 month delayed effective date to allow DNR Customer Service and Licensing the time needed to submit a change order for reprogramming the Automated License Issuance System (ALIS) to accommodate the new licenses created by this proposal.

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**SECTION 1.** 29.001 (7) of the statutes is created to read:

✓ (7) "**Airgun**" means a weapon which expels a missile by the expansion of compressed air or other gas.

**SECTION 2.** 29.024 (1m) of the statutes is created to read:

✓ 29.024 (1m) FIREARM RESTRICTIONS. (a) No person may obtain or use an approval issued under this chapter, or a license under ch. 169 that authorizes hunting with a firearm if the person is prohibited from possessing a firearm under s. 941.29 ( or instead of limiting this just to those included "under s. 941.29", may simply want to state "under state or federal law".

(b) The department shall provide each person who applies for a hunting license approval under this chapter or a bird hunting preserves license, dog training or dog trial license issued under ch. 169 with a notice of the prohibition under par. (a).

✓ **SECTION 3.** 29.161 title is amended and renumbered (1) and (2) to read:

**29.161 Resident small game hunting license. Issuance; Authorization.**

(1) Issuance of license. A resident small game hunting license shall be issued subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident applying for this license. ~~The resident small game hunting license does not authorize the hunting of bear, deer, elk, or wild turkey.~~

(2) Type of hunting authorized. The resident small game hunting license authorizes hunting with a firearm, airgun or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen. The resident small game hunting license does not authorize the hunting of bear, deer, elk, or wild turkey.

**SECTION 4.** 29.164(2)(b) is amended and renumbered (b) 1. and 2. to read:

(b) Type of hunting authorized. 1. A turkey hunting license issued under this section authorizes a resident or nonresident holder of the license to hunt with a firearm or bow and arrow or with a crossbow if the holder of the license is a resident and has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen.

2. An archery turkey hunting license issued under this section authorizes hunting only with a bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen.

✓ **SECTION 5.** 29.184(bg) is amended to read:

(bg) Authorization; Class A bear license. A Class A bear license authorizes a resident or nonresident holder of the license to hunt bear with a firearm or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen, and to exercise all of the privileges of a Class B bear license.

**SECTION 6.** 29.184(3)(bm) is created to read:

(bm) Authorization; Class A archery bear license. A Class A archery bear license authorizes a resident or nonresident holder of the license to hunt bear with only a bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen, and to exercise all of the privileges of a Class B bear license.

SECTION 7. 29.204 is amended and renumbered (1) and (2) to read:

**29.204 Nonresident annual small game hunting license. Issuance; Authorization.**

**(1) Issuance of license.** A nonresident annual small game hunting license shall be issued subject to s. 29.024 by the department to any nonresident applying for this license. ~~The nonresident annual small game hunting license authorizes the hunting of small game during the appropriate open season but does not authorize the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.~~

**(2) Type of hunting authorized.** The nonresident annual small game hunting license authorizes hunting with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow. The nonresident small game hunting license does not authorize the hunting of bear, deer, elk, wild turkey or fur-bearing animals.

SECTION 8. 29.207 is amended and renumbered (1) and (2) to read:

**29.207 Nonresident 5-day small game hunting license. Issuance; Authorization.**

**(1) Issuance of license.** A nonresident 5-day small game hunting license shall be issued subject to s. 29.024 by the department to any nonresident applying for this license. ~~The nonresident 5-day small game hunting license authorizes the hunting of small game for which there is an open season during the 5-day period for which it is issued but does not authorize the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.~~

**(2) Type of hunting authorized.** The nonresident 5-day small game hunting license authorizes the hunting of small game for which there is an open season during the 5-day period for which it is issued with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow. The nonresident 5-day small game hunting license does not authorize the hunting of bear, deer, elk, wild turkey or fur-bearing animals.

SECTION 9. 29.213 is amended and renumbered (1) and (2) to read:

**29.213 Nonresident fur-bearing animal hunting license. Issuance; Authorization.**

**(1) Issuance of license.** A nonresident fur-bearing animal hunting license shall be issued subject to s. 29.024 by the department to any nonresident applying for this license. ~~The nonresident fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox, weasel, opossum, coyote, bobcat and cougar during the appropriate open season but does not authorize the hunting of other fur-bearing animals, other small game, deer, elk, or bear.~~

**(2) Type of hunting authorized.** The nonresident fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox, weasel, opossum, coyote, bobcat during the appropriate open season with a firearm, airgun or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow. The nonresident fur-bearing animal hunting license does not authorize the hunting of other fur-bearing animals, other small game, deer, elk, or bear.

SECTION 10. 29.245 is created to read:

**29.245 Non-firearm small game hunting license. Issuance; Authorization.**

(1) Issuance of license. A non-firearm small game hunting license shall be issued subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any person applying for this license.

(2) Type of hunting authorized. The non-firearm small game hunting license authorizes a resident or nonresident to hunting small game with only an airgun or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or is a resident and has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen. The limited small game hunting license does not authorize the hunting of bear, deer, elk, or wild turkey.

SECTION 11. 29.563(2)(a)4m. is created to read:

29.563(2)(a)4m. Small game non-firearm: \$15.25.

SECTION 12. 29.563(2)(a)6m. is created to read:

29.563(2)(a)6m. Class A archery bear: \$46.25.

SECTION 13. 29.563(2)(a)10. is created to read:

29.563(2)(a)10. Wild turkey archery ~~only~~: \$12.25.

SECTION 14. 29.563(2)(b)2m. is created to read:

29.563(2)(b)2m. Small game non-firearm: \$82.25.

SECTION 15. 29.563(2)(b)4m. is created to read:

29.563(2)(b)4m. Class A archery bear: \$248.25.

SECTION 16. 29.563(2)(b)9. is created to read:

29.563(2)(b)9. Wild turkey archery ~~only~~: \$57.25.

SECTION 17. 29.563(13)(a) is amended to read:

29.563(13)(a) Surcharge generally. The surcharge for approvals listed under subs. (2) (a) 1., 2. and 4. to ~~9.~~ 10. and (b) 1. to ~~8.~~ 9. and (4) (a) 1. and 1m. and (b) 1. and 1m. is \$2 and shall be added to the fee specified for these approvals under subs. (2) and (4).

SECTION 18. 29.971 (3r) of the statutes is created to read:

29.971 (3r) For obtaining or using a hunting license in violation of s. 29.024 (1m) (a), by a forfeiture of not less than \$500 nor more than \$1,000. In addition, the court shall order the revocation of all hunting privileges and approvals issued to the person under this chapter and shall prohibit the person from holding any hunting approval under this chapter for a period of 5 years from the date of the court's order.

SECTION 19. Initial applicability.

(1) This act first applies to hunting licenses that are issued beginning on the first day of the third month after publication or March 1, 2010, which ever occurs first.

*and Class A bear  
and wild turkey*

Background Info.

CHAPTER 939  
CRIMES — GENERAL PROVISIONS

939.22 Words and phrases defined. In chs. 939 to 948 and 951, the following words and phrases have the designated meanings unless the context of a specific section manifestly requires a different construction or the word or phrase is defined in s. 948.01 for purposes of ch. 948:

(2) "**Airgun**" means a weapon which expels a missile by the expansion of compressed air or other gas.

**Kite, Robin**

**From:** Van Haren, Thomas - DNR [Thomas.VanHaren@Wisconsin.gov]  
**Sent:** Wednesday, June 03, 2009 2:32 PM  
**To:** Kite, Robin  
**Cc:** Wahl, Andrea  
**Subject:** RE: hunting license draft

Hi Robin.

I have provided answers to each of your questions below. All very good questions that I had not considered.

Hope this helps. Let me know if I can be of any additional assistance.

**From:** Kite, Robin [mailto:Robin.Kite@legis.wisconsin.gov]  
**Sent:** Wednesday, June 03, 2009 1:00 PM  
**To:** Van Haren, Thomas - DNR  
**Cc:** Wahl, Andrea - LEGIS  
**Subject:** hunting license draft

Tom:

I am working on the draft for Rep. Smith's office that would prohibit felons from obtaining a hunting license and make other changes to the statutes relating to hunting licenses. I have a number of questions with regard to the new licenses that will be created in the draft:

- b-note*
1. Do all of the preference system provisions apply to the new wild turkey archery license and the archery bear license?  
 YES, but we do not want to allow a person to be able to apply for or purchase both a Class A bear license and a Class A archer bear license in the same license year. We also still only want a person to be able to apply for one preference point per year as well if they do not plan to hunt that coming season.
  - ✓ 2. Do the turkey hunting stamp and tag requirements apply to the new wild turkey archery license in the same manner as they apply to the wild turkey license under current law?  
 YES
  - ✓ 3. With regard to the limitation on wild turkey hunting licenses under s. 29.161 (3) (d), will a person be able to have both types of wild turkey hunting licenses in one season?  
 NO. We do not want to create the opportunity or authority for individuals to apply for or purchase both of these 2 types of turkey hunting licenses for the same turkey season and then be able to shoot 2 turkeys during that spring or fall season (one under each license).
  - ✓ 4. Do the provisions relating to issuance to members of the armed forces under s. 29.164 (3m) apply to the new wild turkey archery license?  
 YES. They might choose to simply purchase a Archery only turkey hunting license instead of the regular turkey hunting license that also allows use of a firearm. They should receive the opportunity to obtain one or the other of these 2 turkey hunting licenses without having to apply through the drawing process.
  - ✓ 5. Is there a processing fee for all of the new licenses under s. 29.553?  
 NO. Just for 2 of them. The new Archery Turkey Hunting license and the new Class A Bear hunting licenses should be included under s. 29.553 so that the processing fee will apply, but not the Non-firearm small game hunting license. The reason is that the Turkey and Bear licenses are issued through a drawing and the processing fee is to cover that cost. The small game hunting licenses are not limited and anyone can purchase one over the counter.
  - ✓ 6. Can the new licenses be transferred under s. 29.179 or s. 29.180?  
 YES.

06/03/2009

✓ 7. Can the new licenses be deferred under s. 29.183?  
YES.

✓ 8. Should any of the new licenses be encompassed under a conservation patron license under s. 29.235?  
NO.

✓ 9. Should there be reduced fees under s. 29.563 for any of the new licenses if issued to youth?  
Only for One. Currently, youth are only offered a reduced fee for resident deer, archery and small game hunting licenses and for resident and nonresident sports and patrons licenses. There are currently no reduced fees for a bear hunting license or a turkey only hunting license. I would recommend only providing the reduced fee for a youth purchasing a Non-firearm small game hunting license under this bill.

*What should reduced fee be?*

Thanks for your assistance.

Robin

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Robin Kite, Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
1 East Main Street, Suite 200  
Madison, WI 53703  
(608) 266-7291



State of Wisconsin  
2009 - 2010 LEGISLATURE

RM run  
PI  
LRB-2927  
RNK:...

EF

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

In  
6/18

D-NOTE

Gen

1 AN ACT ...; **relating to:** weapons authorized for use under certain hunting  
2 approvals, prohibiting certain persons from obtaining or using hunting  
3 approvals, and authorizing issuance of archery hunting approvals and  
4 nonfirearm hunting approvals for hunting certain animals.

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

5 SECTION 1. 29.001 (7) of the statutes is created to read:

6 29.001 (7) "Airgun" means a weapon that expels a missile by the expansion of  
7 compressed air or other gas.

8 SECTION 2. 29.001 (19m) of the statutes is created to read:

9 29.001 (19m) "Class A bear license" means a Class A general bear license under  
10 s. 29.184 (3) (bg) 1. or a Class A archery bear license under s. 29.184 (3) (bg) 2.



SECTION 3. 29.001 (91) of the statutes is created to read:

29.001 (91) "Wild turkey hunting license" means a general wild turkey hunting license under s. 29.164 (2) (b) 1. or an archery wild turkey hunting license under s. 29.164 (2) (b) 2.

SECTION 4. 29.024 (1m) of the statutes is created to read:

29.024 (1m) PERSONS PROHIBITED FROM OBTAINING OR USING CERTAIN APPROVALS.  
No person may obtain or use an approval issued under this chapter that authorizes hunting with a firearm if the person is prohibited from possessing a firearm under s. 941.29 (1). The department shall provide each person who applies for an approval under this chapter that authorizes hunting with a firearm with a notice of the prohibition under this subsection.

SECTION 5. 29.161 of the statutes is renumbered 29.161 (1) and amended to read:

29.161 (1) **Resident general small game hunting license.** A resident general small game hunting license shall be issued subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident applying for this license. The resident general small game hunting license does not authorize the hunting of bear, deer, elk, or wild turkey.

History: 1973 c. 90 s. 538; 1973 c. 315; 1979 c. 34; 1983 a. 27; 1991 a. 39; 1997 a. 27; 1997 a. 248 s. 193; Stats. 1997 s. 29.161; 2001 a. 109; 2005 a. 387.

SECTION 6. 29.161 (2) of the statutes is created to read:

29.161 (2) A resident general small game hunting license authorizes hunting with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow, has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen.

SECTION #. 29.161 (title) of the statutes is amended to read:  
③ 29.161 (title)

✓  
SECTION 7. 29.162 of the statutes is created to read:

29.162 Nonfirearm small game hunting license. (1) ISSUANCE. A

nonfirearm small game hunting license shall be issued subject to ss. 29.024 and 54.25

(2) (c) 1. d. by the department to any person applying for this license. A nonfirearm small game hunting license does not authorize the hunting of bear, deer, elk, or wild turkey.

(2) AUTHORIZATION. A nonfirearm small game hunting license authorizes a resident or nonresident holder of the license to hunt small game with an airgun, bow and arrow, or with a crossbow if the holder of the license is a resident and has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen.

✕  
SECTION 8. 29.164 (2) (b) of the statutes is renumbered 29.164 (2) (b) 1. and amended to read:

29.164 (2) (b) 1. Type of hunting authorized. A general wild turkey hunting license issued under this section authorizes hunting a resident or nonresident holder of the license to hunt wild turkey with a firearm or bow and arrow or with a crossbow if the holder of the license is a resident and has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen.

History: 1981 c. 262; 1983 a. 27, 192; 1985 a. 332 s. 253; 1987 a. 399; 1989 a. 21, 73; 1991 a. 39, 77, 269; 1995 a. 27; 1997 a. 27, 168; 1997 a. 248 ss. 212 to 230; Stats. 1997 s. 29.164; 1997 a. 249 s. 21; 1999 a. 9, 32; 2001 a. 18; 2003 a. 67; 2005 a. 10, 108, 387; 2007 a. 24.

SECTION 9. 29.164 (2) (b) 2. of the statutes is created to read:

29.164 (2) (b) 2. An archery wild turkey hunting license issued under this section authorizes a resident or nonresident holder of the license to hunt wild turkey with a bow and arrow or with a crossbow if the holder of the license has a Class A,

1 Class B, or Class C permit issued under s. 29.193 (2) that authorizes hunting with  
2 a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident  
3 senior citizen.

4 **SECTION 10.** 29.184 (1) (a) of the statutes is created to read:

5 29.184 (1) (a) "Class A bear license" means a Class A general bear license or a  
6 Class A archery bear license issued under this section.

7 **SECTION 11.** 29.184 (3) (bg) (title) of the statutes is amended to read:

8 29.184 (3) (bg) (title) *Authorization; Class A bear license licenses.*

History: 1985 a. 270; 1997 a. 1 ss. 57 to 74, 77; 1997 a. 27, 191; 1997 a. 248 ss. 255 to 269; Stats. 1997 s. 29.184; 1997 a. 249 ss. 28 to 32; 1999 a. 9, 32, 186; 2001 a. 55; 2003 a. 59; 2005 a. 25, 387; 2007 a. 65, 66.

9 **SECTION 12.** 29.184 (3) (bg) of the statutes is renumbered 29.184 (3) (bg) 1. and  
10 amended to read:

11 29.184 (3) (bg) 1. Authorization; Class A bear license. A Class A general bear  
12 license authorizes a resident or nonresident holder of the license to hunt bear with  
13 a firearm or bow and arrow or with a crossbow if the holder of the license has a Class  
14 A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes hunting with  
15 a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident  
16 senior citizen, and to exercise all of the privileges of a Class B bear license.

History: 1985 a. 270; 1997 a. 1 ss. 57 to 74, 77; 1997 a. 27, 191; 1997 a. 248 ss. 255 to 269; Stats. 1997 s. 29.184; 1997 a. 249 ss. 28 to 32; 1999 a. 9, 32, 186; 2001 a. 55; 2003 a. 59; 2005 a. 25, 387; 2007 a. 65, 66.

17 **SECTION 13.** 29.184 (3) (bg) 2. of the statutes is created to read:

18 29.184 (3) (bg) 2. A Class A archery bear license authorizes a resident or  
19 nonresident holder of the license to hunt bear with a bow and arrow or with a  
20 crossbow if the holder of the license has a Class A, Class B, or Class C permit issued  
21 under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit  
22 issued under s. 29.171 (4) (a), or is a resident senior citizen, and to exercise all of the  
23 privileges of a Class B bear license.

SECTION 14. 29.184 (10) of the statutes is created to read:

29.184 (10) LICENSE LIMITATION. No person may apply for or receive more than one Class A bear license during one season.

SECTION 15. 29.194 (1) (a) of the statutes is amended to read:

29.194 (1) (a) Notwithstanding ss. 29.024 (2) and 29.228 (1) (a), the department shall issue a resident fishing license, resident general small game hunting license, resident nonfirearm small game hunting license, or resident deer hunting license to a qualified student applying for the license. A qualified student is a person who exhibits proof that he or she is a registered full-time student who is present in this state attending a public or private college or university that is located in this state and that offers an associate degree or a bachelor's degree or that he or she is a citizen of a foreign country temporarily residing in this state while attending a high school located in this state or an agricultural short course at the University of Wisconsin System.

NOTE: NOTE: Section 29.194 (title) and (1) (title) are shown as affected by 2 acts of the 2007 Wisconsin legislature and as merged by the legislative reference bureau under s. 13.92 (2) (i). NOTE:

History: 1997 a. 248 ss. 158 to 160, 411; 2005 a. 243, 283; 2007 a. 23, 51, 97; s. 13.92 (2) (i).

SECTION 16. 29.194 (3) of the statutes is amended to read:

29.194 (3) RESIDENT ARMED FORCES SMALL GAME HUNTING LICENSE LICENSES. A general small game hunting license or nonfirearm small game hunting license shall be issued by the department to any member of the U.S. armed forces applying for this license who exhibits proof that he or she is in active service with the armed forces and that he or she is a resident on furlough or leave.

History: 1997 a. 248 ss. 158 to 160, 411; 2005 a. 243, 283; 2007 a. 23, 51, 97; s. 13.92 (2) (i).

SECTION 17. 29.204 of the statutes is renumbered 29.204 (1) and amended to

read:

SECTION #. 29.204 (title) of the ~~statutes~~ is amended to read: ~~the~~  
③ 29.204 (title) insert from p. 6

move to P. 5

1        29.204 (1) Nonresident annual general small game hunting license. A

2        nonresident annual general small game hunting license shall be issued subject to s.  
3        29.024 by the department to any nonresident applying for this license. The  
4        nonresident annual general small game hunting license authorizes the hunting of  
5        small game during the appropriate open season but does not authorize the hunting  
6        of deer, elk, bear, wild turkey, or fur-bearing animals.

7        History: 1983 a. 27; 1991 a. 39; 1997 a. 27; 1997 a. 248 s. 270; Stats. 1997 s. 29.204; 2001 a. 109. ✓

7        **SECTION 18.** 29.204 (2) of the statutes is created to read:

8        29.204 (2) A nonresident annual general small game hunting license  
9        authorizes hunting with a firearm, airgun, or bow and arrow or with a crossbow if  
10       the holder of the license has a Class A, Class B, or Class C permit issued under s.  
11       29.193 (2) that authorizes hunting with a crossbow.

12       **SECTION 19.** 29.207 of the statutes is renumbered 29.207 (1). ✓

13       **SECTION 20.** 29.207 (2) of the statutes is created to read: ✓

check 14       29.207 (2) A nonresident 5-day small game hunting license authorizes hunting  
15       with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license  
16       has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes  
17       hunting with a crossbow.

18       **SECTION 21.** 29.213 of the statutes is renumbered 29.213 (1). ✓

19       **SECTION 22.** 29.213 (2) of the statutes is created to read: ✓

20       29.213 (2) A nonresident fur-bearing animal hunting license authorizes  
21       hunting with a firearm, airgun, or bow and arrow or with a crossbow if the holder of  
22       the license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that  
23       authorizes hunting with a crossbow.

24       **SECTION 23.** 29.231 (2) of the statutes is amended to read: ✓

1           29.231 (2) A resident sports license confers upon the licensee all of the  
2 combined privileges conferred by a resident general small game hunting license,  
3 resident fishing license and resident deer hunting license subject to all of the duties,  
4 conditions, limitations and restrictions of those licenses.

History: 1973 c. 90 ss. 166, 538; 1973 c. 145; 1979 c. 34; 1983 a. 27; 1995 a. 27; 1997 a. 27; 1997 a. 248 ss. 333 to 337; Stats. 1997 s. 29.231; 2005 a. 387.

5           **SECTION 24.** 29.231 (3) of the statutes is amended to read:

6           29.231 (3) A nonresident sports license confers upon the licensee all of the  
7 combined privileges conferred by a nonresident general small game hunting license,  
8 nonresident fishing license and nonresident deer hunting license subject to all of the  
9 duties, conditions, limitations and restrictions of those licenses.

History: 1973 c. 90 ss. 166, 538; 1973 c. 145; 1979 c. 34; 1983 a. 27; 1995 a. 27; 1997 a. 27; 1997 a. 248 ss. 333 to 337; Stats. 1997 s. 29.231; 2005 a. 387.

10          **SECTION 25.** 29.235 (2) (a) of the statutes is amended to read:

11          29.235 (2) (a) A resident general small game hunting license.

History: 1983 a. 27; 1987 a. 27; 1991 a. 39, 269; 1993 a. 213; 1995 a. 27; 1997 a. 1, 27; 1997 a. 248 ss. 338 to 344; Stats. 1997 s. 29.235; 2001 a. 109; 2005 a. 25, 284, 387; 2007 a. 97.

12          **SECTION 26.** 29.235 (2m) (a) of the statutes is amended to read:

13          29.235 (2m) (a) A nonresident general small game hunting license.

History: 1983 a. 27; 1987 a. 27; 1991 a. 39, 269; 1993 a. 213; 1995 a. 27; 1997 a. 1, 27; 1997 a. 248 ss. 338 to 344; Stats. 1997 s. 29.235; 2001 a. 109; 2005 a. 25, 284, 387; 2007 a. 97.

14          **SECTION 27.** 29.553 (1) (f) of the statutes is amended to read:

15          29.553 (1) (f) Wild General wild turkey hunting license.

History: 1997 a. 248 ss. 143 to 149; 2001 a. 109.

16          **SECTION 28.** 29.553 (1) (fm) of the statutes is created to read:

17          29.553 (1) (fm) Archery wild turkey hunting license.

18          **SECTION 29.** 29.553 (1) (h) of the statutes is amended to read:

19          29.553 (1) (h) Class A general bear license.

History: 1997 a. 248 ss. 143 to 149; 2001 a. 109.

20          **SECTION 30.** 29.553 (1) (hg) of the statutes is created to read:

21          29.553 (1) (hg) Class A archery bear license.

22          **SECTION 31.** 29.563 (2) (a) 1. of the statutes is amended to read:

1           29.563 (2) (a) 1. ~~Small~~ General small game: \$15.25.

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 33; 2005 a. 22, 25, 55, 284, 288; 2007 a. 20.

2           **SECTION 32.** 29.563 (2) (a) 1g. of the statutes is created to read:

3           29.563 (2) (a) 1g. Nonfirearm small game: \$15.25.

4           **SECTION 33.** 29.563 (2) (a) 1r. of the statutes is created to read:

5           29.563 (2) (a) 1r. Nonfirearm small game issued to 12-year-olds to  
6           17-year-olds: \$6.25.

7           **SECTION 34.** 29.563 (2) (a) 2. of the statutes is amended to read:

8           29.563 (2) (a) 2. ~~Small~~ General small game issued to a resident senior citizen:  
9           \$6.25.

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 33; 2005 a. 22, 25, 55, 284, 288; 2007 a. 20.

10          **SECTION 35.** 29.563 (2) (a) 3. of the statutes is amended to read:

11          29.563 (2) (a) 3. ~~Small~~ General small game issued to a member of the armed  
12          forces under s. 29.194 (3): \$0.

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 33; 2005 a. 22, 25, 55, 284, 288; 2007 a. 20.

13          **SECTION 36.** 29.563 (2) (a) 4. of the statutes is amended to read:

14          29.563 (2) (a) 4. ~~Small~~ General small game issued to 12-year-olds to  
15          17-year-olds: \$6.25.

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 33; 2005 a. 22, 25, 55, 284, 288; 2007 a. 20.

16          **SECTION 37.** 29.563 (2) (a) 6m. of the statutes is created to read:

17          29.563 (2) (a) 6m. Class A archery bear: \$46.25.

18          **SECTION 38.** 29.563 (2) (a) 9. of the statutes is amended to read:

19          29.563 (2) (a) 9. ~~Wild~~ General wild turkey: \$12.25.

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 33; 2005 a. 22, 25, 55, 284, 288; 2007 a. 20.

20          **SECTION 39.** 29.563 (2) (a) 10. of the statutes is created to read:

21          29.563 (2) (a) 10. Archery wild turkey: \$12.25.

22          **SECTION 40.** 29.563 (2) (b) 1. of the statutes is amended to read:

1 29.563 (2) (b) 1. Annual general small game: \$82.25.

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 33; 2005 a. 22, 25, 55, 284, 288; 2007 a. 20.

2 SECTION 41. 29.563 (2) (b) 1m. of the statutes is created to read:

3 29.563 (2) (b) 1m. Nonfirearm small game: \$82.25.

4 SECTION 42. 29.563 (2) (b) 4m. of the statutes is created to read:

5 29.563 (2) (b) 4m. Class A archery bear: \$248.25.

6 SECTION 43. 29.563 (2) (b) 8. of the statutes is amended to read:

7 29.563 (2) (b) 8. Wild General wild turkey: \$57.25.

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 33; 2005 a. 22, 25, 55, 284, 288; 2007 a. 20.

8 SECTION 44. 29.563 (2) (b) 9. of the statutes is created to read:

9 29.563 (2) (b) 9. Archery wild turkey: \$57.25.

10 SECTION 45. 29.591 (4) (a) 2. of the statutes is amended to read:

11 29.591 (4) (a) 2. A resident may use the certificate of accomplishment issued  
12 to him or her for successfully completing the course of instruction under the hunter  
13 education program for the first time in place of a general small game hunting license.

History: 1983 a. 420; 1997 a. 12, 197; 1997 a. 248 ss. 175, 420 to 426; Stats. 1997 s. 29.591; 1999 a. 9, 32; 2001 a. 16; 2005 a. 25.

14 SECTION 46. 29.591 (4) (a) 2. of the statutes is amended to read:

15 29.591 (4) (a) 2. A resident may use the certificate of accomplishment issued  
16 to him or her for successfully completing the course of instruction under the hunter  
17 education program for the first time in place of a general small game hunting license.

History: 1983 a. 420; 1997 a. 12, 197; 1997 a. 248 ss. 175, 420 to 426; Stats. 1997 s. 29.591; 1999 a. 9, 32; 2001 a. 16; 2005 a. 25.

18 SECTION 47. 29.624 (1) of the statutes is amended to read:

19 29.624 (1) A senior citizen recreation card entitles the holder to exercise all of  
20 the combined rights and privileges conferred by a resident general small game  
21 hunting license, a wild turkey hunting license, a wild turkey hunting stamp and a  
22 resident fishing license, subject to all duties, conditions, limitations and restrictions  
23 of the licenses and stamp. A person may operate any motor vehicle, except a motor



1 bus, as defined in s. 340.01 (31), subject to the admission requirements under s. 27.01  
2 (7) in any vehicle admission area under s. 27.01 (7) without having an admission  
3 receipt affixed to the vehicle or otherwise displayed and without paying a fee if the  
4 vehicle has as an occupant a card holder who can present the card upon demand in  
5 the vehicle admission area. The card permits a card holder to enter Heritage Hill  
6 state park or a state trail without paying an admission fee.

History: 1997 a. 248 ss. 189 to 192; Stats. 1997 s. 29.624.

7 **SECTION 48.** 29.971 (3r) of the statutes is created to read: ✓

8 29.971 (3r) For obtaining or using a hunting approval in violation of s. 29.024 ✓  
9 (1m), by a forfeiture of not less than \$500 nor more than \$1,000. In addition, the court  
10 shall order the revocation of all hunting privileges and approvals issued to the person  
11 under this chapter ✓ and shall prohibit the person from holding any hunting approval  
12 under this chapter ✓ for a period of 5 years from the date of the court's order.

13 (END)

D-Note

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2927/P1ins.

RNK:.....

**INSERT 4-3**

1           **SECTION 1.** 29.184 (1) of the statutes is renumbered 29.184 (1) (intro.) and  
2 amended to read:

3           29.184 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, ~~notwithstanding~~ <sup>oo</sup> <sup>oo</sup> ~~;~~  
4           (b) Notwithstanding s. 29.001 (42), "hunt bear" means to shoot, shoot at, take,  
5 catch, or kill a bear or pursue, with or without the use of dogs, a bear for the purpose  
6 of shooting, shooting at, taking, catching, or killing the bear.

**History:** 1985 a. 270; 1997 a. 1 ss. 57 to 74, 77; 1997 a. 27, 191; 1997 a. 248 ss. 255 to 269; Stats. 1997 s. 29.184; 1997 a. 249 ss. 28 to 32; 1999 a. 9, 32, 186; 2001 a. 55; 2003 a. 59; 2005 a. 25, 387; 2007 a. 65, 66.

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

PI  
LRB-2927/?dn  
RNK:...

*Date*

I have prepared this draft in preliminary form. Please review the draft closely to ensure that it is consistent with your intent. You will note that the creation of the new licenses in the draft required that I change the name of certain existing licenses under current law so as to sufficiently describe the different licenses.

As you instructed, I worked on this draft with Tom Van Haren at the Department of Natural Resources. Among other things, he suggested that the draft include a reduced fee for youth who are issued nonfirearm small game hunting licenses. In keeping with current law, the draft establishes this reduced fee only for residents. Is that O.K.? Also, the draft sets the reduced fee at \$6.25 which is the reduced fee for resident small game licenses issued to youth under current law. Is this fee O.K.?

Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.wisconsin.gov

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2927/P1dn  
RNK:kjf:rs

July 1, 2009

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Please feel free to contact me if you have any questions with regard to this draft.

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